

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): DOWLING et al.
Application Serial No. 10/045604
Filing Date: Oct. 23, 2001
Confirmation No. 3464
For: SYSTEMS AND METHODS FOR DIGITAL ENTERTAINMENT

Commissioner for Patents
Alexandria, VA 22313-1450

REQUEST FOR WITHDRAWAL OF ERRONEOUSLY-ISSUED NOTICE OF ABANDONMENT

The USPTO has issued a Notice of Abandonment for the above-identified allowed application on April 20, 2010, because of Applicants' alleged failure to submit corrected drawings as required by the Notice of Allowability mailed on December 29, 2009. Applicants' undersigned attorney respectfully submits that such requirement and subsequent Notice were issued in error, because a complete set of publication-quality drawings was timely filed on July 22, 2002 in Response to Notice to File Missing Parts, and received by the USPTO (see attached filing receipt).

On April 26, 2010, during a teleconference with the undersigned attorney, Examiner Minh has confirmed the USPTO error and indicated that he would notify the Patent Publication Branch and withdraw the Notice of Abandonment. In a subsequent teleconference earlier today, Examiner Minh has indicated that the USPTO is in a process of correcting the status of this application.

Accordingly, Applicants formally request expedited withdrawal of the Notice of Abandonment and, since the issue fee has been timely paid, have this allowed application immediately proceed to issue as a patent.

Dated: Respectfully submitted,

May 20, 2010 By /Mark Beloborodov/
Mark L. Beloborodov, Esq., Registration No.: 50,773
(781) 418-9363

Correspondence Address:

Philips Intellectual Property & Standards
P.O. Box 3001
Briarcliff Manor, NY 10510



COPY OF PAPERS
ORIGINALLY FILED

#5

ATTORNEY'S DOCKET NO: C01104/70087 (RFG/JT)

REB
5-103

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kevin J. Dowling, Ian Lane Davis, George G. Mueller and Ihor A. Lys
Serial No: 10/045,604
Confirmation No: 3464
Filed: October 23, 2001
For: SYSTEMS AND METHODS FOR DIGITAL ENTERTAINMENT

Examiner: Unassigned
Art Unit: 2821

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to the Commissioner for Patents, Washington, D.C. 20231, on the 11th day of July, 2002.

Janine Michalski
Janine Michalski

BOX: MISSING PARTS
COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

LETTER TO THE OFFICIAL DRAFTSPERSON

Sir:

We enclose thirteen (13) sheets of formal drawings (Figs. 1-16) for the above-identified patent application.

Please charge any fees or credit any overpayment to Deposit Account 23/2825.

Respectfully submitted,

Kevin J. Dowling, et al., Applicants

By:

Richard F. Giunta
Richard F. Giunta, Reg. No. 36,149
Joseph Teja, Jr., Reg. No. 45,157
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210
Tel. (617) 720-3500
Attorneys for Applicants

Docket No. C01104/70087 (RFG/JT)
Dated: July 11, 2002

627690.1

LEST AVAILABLE COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kevin J. Dowling, Ian Lane Davis, George G. Mueller and Ihor A. Lys
Serial No: 10/045,604
Confirmation No: 3464
Filed: October 23, 2001
For: SYSTEMS AND METHODS FOR DIGITAL ENTERTAINMENT
JUL 22 2002
Examiner: Unassigned
Art Unit: 2821

Janine Michalski
Janine Michalski

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to the Commissioner for Patents, Washington, D.C. 20231, on the 11th day of July, 2002.

BOX: MISSING PARTS
COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

RESPONSE TO THE NOTICE TO FILE MISSING PARTS

Sir:

In response to the Notice to File Missing Parts dated March 11, 2002, Applicants respectfully submit for filing two original documents entitled Declaration for Patent Application and substitute drawings in compliance with 37 C.F.R. 1.84.

Applicants also respectfully note here that the Domestic Priority Data as Claimed by Applicants appearing on the filing receipt following this Response should appear as follows:

THIS APPLICATION CLAIMS BENEFIT OF 60/243,250 10/25/2000
AND CLAIMS BENEFIT OF 60/262,153 01/17/2001
AND CLAIMS BENEFIT OF 60/242,484 10/23/2000
AND CLAIMS BENEFIT OF 60/262,022 01/16/2001
AND CLAIMS BENEFIT OF 60/268,259 02/13/2001
AND CLAIMS BENEFIT OF 60/277,911 03/22/2001
THIS APPLN IS A CIP OF 09/215,624 12/17/1998
AND A CIP OF 09/213,607 12/17/1998
AND A CIP OF 09/213,189 12/17/1998
AND A CIP OF 09/213,581 12/17/1998

AND A CIP OF 09/213,540 12/17/1998
AND A CIP OF 09/333,739 06/15/1999
AND A CIP OF 09/626,905 06/27/2000 PAT 6,340,868
AND A CIP OF 09/742,017 12/20/2000
WHICH IS A CON OF 09/213,548 12/17/1998 PAT 6,166,496
AND A CIP OF 09/616,214 07/14/2000
AND A CIP OF 09/815,418 03/22/2001
WHICH IS A CON OF 09/213,548 12/17/1998 PAT 6,166,496
AND A CIP OF 09/805,368 03/13/2001
AND A CIP OF 09/805,590 03/13/2001
AND A CIP OF 09/917,246 07/27/2001
AND A CIP OF 09/923,223 08/07/2001
AND A CIP OF 09/886,958 06/21/2001
THIS APPLN ALSO CLAIMS THE BENEFIT OF 60/071,281 12/17/1997
AND CLAIMS THE BENEFIT OF 60/068,792 12/24/1997 |
AND CLAIMS THE BENEFIT OF 60/078,861 03/20/1998 |
AND CLAIMS THE BENEFIT OF 60/079,285 03/25/1998 |
AND CLAIMS THE BENEFIT OF 60/090,920 06/26/1998 |

A copy of the Filing Receipt marked with corrections in red is enclosed.

The check enclosed includes the fee of \$4,949.00 for payment of the basic filing fee, the surcharge for the filing of the late declaration, the fee for additional claims and a Two Month Extension. If the fee is insufficient, the balance may be charged to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

Kevin J. Dowling, et al., Applicants

By:


Richard F. Giunta, Reg. No. 36,149
Joseph Teja, Jr., Reg. No. 45,157
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210
Tel. (617) 720-3500
Attorneys for Applicants

Docket No. C01104/70087 (RFG/JT)

Dated: July 11, 2002

627622.1

BEST AVAILABLE COPY



JUL 22 2002

COPY OF DOCUMENTS
ORIGINALS FILED

Page 1 of 2

UNITED STATES PATENT AND TRADEMARK OFFICE

TRADEMARK
SERVICECOMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/045,604	10/23/2001	Kevin J. Dowling	C01104/70087 (JT)

23628
WOLF GREENFIELD & SACKS, PC
FEDERAL RESERVE PLAZA
600 ATLANTIC AVENUE
BOSTON, MA 02210-2211

CONFIRMATION NO. 3464
FORMALITIES LETTER

OC00000007612809

Date Mailed: 03/11/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/23/2002 *BERNE 00000165 10045604

FILED UNDER 37 CFR 1.53(b)

11 30:301	370.00 0P
12 50:205	65.00 0P
13 50:303	2718.00 0P
24 50:202	1596.00 0P

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 370 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$4314.
 - \$ 2718 for 302 total claims over 20.
 - \$ 1596 for 38 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 4749.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawings contain excessive text. Suitable descriptive legends may be used, or may be required by the Examiner where necessary for understanding of the drawing but should contain as few words as possible (see 37 CFR 1.84(o));

BEST AVAILABLE COPY

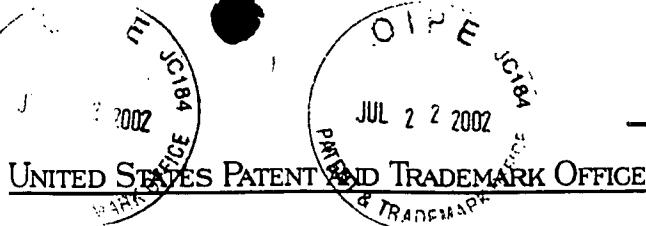
A copy of this notice MUST be returned with the reply.


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

BEST AVAILABLE COPY



COPY OF PAPERS
ORIGINALLY FILED

Page 1 of 2

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

R E F L J T

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/045,604	10/23/2001	2821	0.00	C01104/70087 (JT)	16	322	41

CONFIRMATION NO. 3464

23628
WOLF GREENFIELD & SACKS, PC
FEDERAL RESERVE PLAZA
600 ATLANTIC AVENUE
BOSTON, MA 02210-2211

FILING RECEIPT



OC000000007612808

Date Mailed: 03/11/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Kevin J. Dowling, Residence Not Provided;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CIP OF 09/216,624 12/17/1998
AND A CIP OF 09/213,607 12/17/1998
AND A CIP OF 09/213,189 12/17/1998
AND A CIP OF 09/213,581 12/17/1998
AND A CIP OF 09/213,540 12/17/1998
AND A CIP OF 09/333,739 06/15/1999
AND A CIP OF 09/626,905 07/27/2000 PAT 6,340,868
AND A CIP OF 09/742,017 12/20/2000
AND A CIP OF 09/616,214 07/14/2000
AND A CIP OF 09/815,418 03/22/2001
AND A CIP OF 09/805,368 03/13/2001
AND A CIP OF 09/805,590 03/13/2001
AND A CIP OF 09/886,958 06/21/2001
WHICH CLAIMS BENEFIT OF 60/243,250 10/25/2000
AND CLAIMS BENEFIT OF 60/262,153 01/17/2001
AND CLAIMS BENEFIT OF 60/242,484 10/23/2000
AND CLAIMS BENEFIT OF 60/262,022 01/16/2001
AND CLAIMS BENEFIT OF 60/268,259 02/13/2001
AND CLAIMS BENEFIT OF 60/277,911 03/22/2001
AND CLAIMS BENEFIT OF 60/262,022 01/16/2001
AND CLAIMS BENEFIT OF 60/242,484 10/23/2000

File Pkt	<input type="checkbox"/>
CCB	<input type="checkbox"/>
Direct Entry	<input checked="" type="checkbox"/>
Doctry/Cross	<input checked="" type="checkbox"/>
Order Optio	<input type="checkbox"/>
Amendm	<input type="checkbox"/>
Confirmation	<input type="checkbox"/>

10/23/02 (2) - ope

01/02/03

04/11/02

DOCKETED
MAR 15 2002

BEST AVAILABLE COPY

Foreign Applications



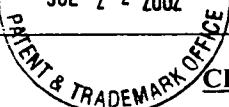
COPY OF PAPERS
ORIGINALLY FILED

ATTORNEY'S DOCKET NO: C01104/70087 (RFG/JT)

Received 7/11/02
#

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kevin J. Dowling, Ian Lane Davis, George G. Mueller and Ihor A. Lys
Serial No: 10/045,604
Confirmation No: 3464
Filed: October 23, 2001
For: SYSTEMS AND METHODS FOR DIGITAL ENTERTAINMENT
Examiner: Unassigned
Art Unit: 2821
JUL 22 2002



CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to the Commissioner for Patents, Washington, D.C. 20231, on the 11th day of July, 2002.

Janine Michalski
Janine Michalski

BOX: MISSING PARTS
COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing are the following documents:

- [X] RESPONSE TO THE NOTICE TO FILE MISSING PARTS
- [X] COPY OF NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION
- [X] TWO DECLARATIONS FOR PATENT APPLICATION
- [X] COPY OF FILING RECEIPT MARKED WITH CORRECTIONS IN RED
- [X] PETITION FOR TWO MONTH EXTENSION OF TIME
- [X] LETTER TO THE OFFICIAL DRAFTSPERSON
- [X] THIRTEEN (13) SHEETS OF FORMAL DRAWINGS (FIGS. 1-16)
- [X] RETURN POSTCARD

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned collect at (617)720-3500, Boston, Massachusetts.

A check in the amount of \$4,949.00 is enclosed to cover the basic filing fee, the surcharge for the filing of the late declaration, the fee for additional claims, and a Two Month Extension. If the fee is insufficient, the balance may be charged to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

Kevin J. Dowling, et al., Applicants

By:

Richard F. Giurta, Jr.
Richard F. Giurta, Reg. No. 36,149
Joseph Teja, Jr., Reg. No. 45,157
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210
Tel. (617) 720-3500
Attorneys for Applicants

Docket No. C01104/70087 (RFG/JT)
Dated: July 11, 2002
X (7/11/02)